




COMMONWEALTH of VIRGINIA

DEPARTMENT OF EDUCATION

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SNP Memo # 06-07-11

TO: Directors, Supervisors and Contact Persons

FROM: Lynne Fellin, Acting Director
School Nutrition Programs 

DATE: May 10, 2007

SUBJECT: School Nutrition Programs and Federal Procurement Regulations

This memo addresses procurement issues in the school nutrition programs with regard to Federal procurement regulations.

Geographic Preference (SP 02-2007)

Federal procurement regulations at 7 CFR 3016.60(c) clearly prohibit the use of State or local geographic preferences. All purchases made with nonprofit school food service account funds are to be made competitively, consistent with Federal laws and regulations.

USDA has received numerous inquiries concerning a document produced by the Harrison Institute for Public Law at Georgetown University addressing the purchase of products from local farmers. The document expresses the view that Congress, as part of the 2002 Farm Bill, expressed clear support for geographic preferences in purchases made for school food service programs. That interpretation is incorrect and FNS disagrees with it as a result.

http://www.fns.usda.gov/cnd/Governance/Policy-Memos/2007/SP_02-2007.pdf

Federal Procurement Regulations - Questions and Answers (Q&As)

Further discussion of procurement issues can be found in Q&As published by USDA on May 20, 2003 and April 29, 2005.

April 29, 2005 – Recent Procurement Procedure Questions

<http://www.fns.usda.gov/cnd/Governance/Policy-Memos/2005/2005-04-29.pdf>

May 20, 2003 – Applicability of Federal Requirements to School Food Service Procurements

<http://www.fns.usda.gov/cnd/Governance/Policy-Memos/2003/2003-05-20.htm>

If you have questions or need assistance, please contact the school nutrition program specialist assigned to your division or Lynne Fellin, acting director of school nutrition programs, at (804) 225-2074.

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